



EXPRESS MAIL LABEL NO.: EV 396740914 US

PATENT APPLICATION  
Docket No.: 7678.783

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)
		)
	Carlos G. Puente, et al.	)
		)
Serial No.:	10/786,193	) Art Unit
		) Not Known
Filed:	February 25, 2004	)
		)
Confirmation No.:	Not Yet Known	)
		)
For:	X-RAY POSITIONING DEVICE	)
		)
Examiner:	Not Yet Known	)

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

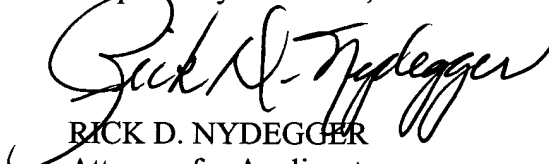
Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each nonenglish reference, if any, are also enclosed.

Dated this 10<sup>th</sup> day of June, 2004.

Respectfully submitted,

  
RICK D. NYDEGGER  
Attorney for Applicant  
Registration No. 28,651  
Customer No. 022913

RDN:kcs  
KCS0000002582V001

EXPRESS MAIL LABEL NO.: EV 396740914 US

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Applicant: Carlos G. Puente, et al.

Serial No.: 10/786,193

Att'y Docket No.: 7678.783

Filing Date: February 25, 2004

Group: Not Yet Known

Confirmation No.: Not Yet Known

For: X-RAY POSITIONING DEVICE

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### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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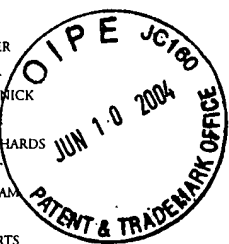
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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXPRESS MAIL LABEL NO.: EV396740914US

PATENT APPLICATION

Docket No.: 7678.783

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- X Form PTO-1449 list of twenty-six (26) references submitted for consideration.
- \_\_\_ Legible copies of the listed references or their relevant portions.
- \_\_\_ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- \_\_\_ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- \_\_\_ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- \_\_\_ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

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† Admitted only in New York

\_\_\_ Legible Copies of previously filed Information Disclosure  
Statement for application Serial No. \_\_\_\_, filed \_\_\_\_.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

\_\_\_ Promptness Certification.

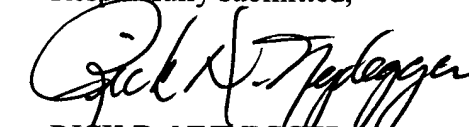
\_\_\_ Check No. \_\_\_\_\_ in the amount of \$240.00 constituting  
submission fee under 37 C.F.R. 1.17(p);

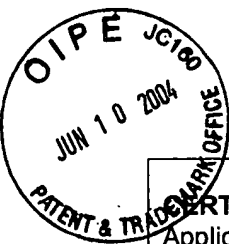
\_\_\_ Petition for Consideration and Check No. \_\_\_\_\_ in the  
amount of \$\_\_\_\_\_.

X In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is  
not satisfied that the Promptness Certification meets the  
requirements of 37 C.F.R. § 1.97(e), or in any other event  
remediable by a fee, please credit any over payment or charge any  
additional fees to Deposit Account No. 23-3178 of the  
undersigned.

Dated this 10<sup>th</sup> day of June, 2004.

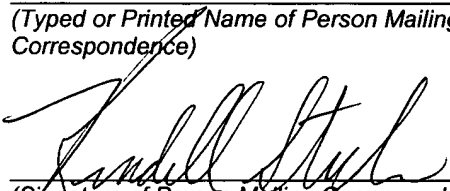
Respectfully submitted,

  
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Attorney for Applicant  
Registration No. 28,651  
Customer No. 022913



6-11-04

IFW

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): Carlos G. Puente, et al.				Docket No. 7678.783	
Serial No. 10/786,193	Filing Date February 25, 2004	Confirmation No. Not Known	Examiner Not Known	Group Art Unit Not Known	
Invention: X-RAY POSITIONING DEVICE					
<p>I hereby certify that the Transmittal letter (2 pages) (in triplicate); Information Disclosure Statement (2 pgs); Form PTO-1449 Listing all Cited References (2 pgs); and postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>June 10</u>, 2004.</p>					
<p>Kendell Steele</p> <p>_____ (Typed or Printed Name of Person Mailing Correspondence)</p> <p> _____ (Signature of Person Mailing Correspondence)</p> <p><b>EV396740914US</b></p> <p>_____ ("Express Mail" Mailing Label Number)</p>					
KCS00000002586V001					

EXPRESS MAIL LABEL NO.: EV 396740914 US

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Applicant: Carlos G. Puente, et al.

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Att'y Docket No.: 7678.783

Filing Date: February 25, 2004

Group: Not Yet Known

Confirmation No.: Not Yet Known

For: X-RAY POSITIONING DEVICE

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Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner

Initial\*

- \_\_\_\_\_ A23. "A UNIVERSAL FILM HOLDING-BEAM ALIGNMENT SYSTEM FOR PARALLELING, BISECTING ANGLE AND ENDODONTIC RADIOGRAPHY" Assembly Instructions by Dunvale Snapex System.
- \_\_\_\_\_ A24. Cohn, Steven, A., D.D.S., "PRINCIPLES AND CLINICAL TECHNIQUES." Endodontic Radiography. 1988
- \_\_\_\_\_ A25. "XCP Positioning Instructions for XCP Kit Evolution 2000 with Bite-wing Holder. XCP Kit without Bite-Wing Holder. XCP Instruction Poster.
- \_\_\_\_\_ A26. "INTRAORAL RADIOGRAPHY WITH RINN XCP/BAI INSTRUCTIONS" Rinn Corporation 1967-1989

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Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 2 of 4

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Filing Date: February 25, 2004

Group: Not Yet Known

Confirmation No.: Not Yet Known

For: X-RAY POSITIONING DEVICE

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_____ A13.	6,012,841	01/11/00	Slaughter	378	170	01/22/98
_____ A14.	6,033,111	03/07/00	Winters, et al.	378	170	11/20/98
_____ A15.	6,190,042	02/20/01	Dove, et al.	378	170	09/24/99
_____ A16.	6,343,875	02/05/02	Eppinger, et al.	378	170	06/28/00
_____ A17.	6,424,694	07/23/02	Molteni, et al.	378	38	10/05/00
_____ A18.	6,540,399	04/01/03	Eppinger, et al.	378	170	03/30/00

U.S. Patent Publications

<u>Examiner Initial*</u>	<u>Publication Number</u>	<u>Publication Date</u>	<u>Name</u>
_____ A19.	US 2002/0076002	06/20/2002	Eppinger, et al
_____ A20.	US 2002/0176539	11/28/2002	Da Rold, et al.
_____ A21.	US 2002/0196903	12/26/2002	Eppinger, et al.
_____ A22.	US 2003/0058988	03/27/2003	Molteni, et al.

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Sheet 1 of 4

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For: X-RAY POSITIONING DEVICE

### INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

#### U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A1.	3,092,721	06/04/63	Medwedeff, et al.	250	70	07/28/61
_____ A2.	3,473,026	10/14/69	Updegrave	250	70	09/21/66
_____ A3.	4,365,162	12/21/82	Jarby	378	170	02/12/80
_____ A4.	4,554,676	11/19/85	Maldonado, et al.	378	170	03/16/83
_____ A5.	4,815,117	03/21/89	Waldo	378	168	09/02/87
_____ A6.	4,866,750	09/12/89	Chavarria, et al.	378	168	03/27/87
_____ A7.	4,965,885	10/23/90	Fuhrmann	378	168	08/19/87
_____ A8.	5,289,522	02/22/94	Kanbar, et al.	378	170	11/16/92
_____ A9.	5,327,477	07/05/94	Levy	378	168	12/29/92
_____ A10.	5,652,779	07/29/97	Levy, et al.	378	170	09/01/95
_____ A11.	5,708,696	01/13/98	Kantor	378	206	09/17/96
_____ A12.	5,799,058	08/25/98	Willis, et al.	378	168	03/25/97

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